

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in view of the following remarks is respectfully requested.

Claims 1-4, 7-19, 22-30, and 32-40 are currently active in this case. Claims 1, 16, 25, and 35 have been amended, and claims 5, 6, 20, 21, and 31 have been cancelled by the current amendment.

In the outstanding office action, claims 1, 7, 16, 25, and 35 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 38-42, 46-48, 50, 52, and 53 of U.S. patent application No. 08/636,024; and claims 1, 16, 25, and 35 were rejected under 35 USC 102(b) as being anticipated by published Japanese patent application HEI 2[1990] 83720 to Nakagawa.

Claims 2-15, 17-24, 26-34, and 36-40 were objected to as being dependent upon a rejected base claim, but were indicated as being allowable if rewritten in independent form. Applicant acknowledges with appreciation the indication of allowable subject matter. In order to expedite prosecution of this case and without conceding the patentability of original claims 1, 16, 25, and 35, Applicant has amended claims 1, 16, and 35 to define the circumstances when the clock frequency is increased, and has amended claim 25 to include the feature of original claim 31. Applicant submits that claims 1, 16, and 35 are allowable for at least the same reasons that original claims 5 and 6 are allowable.

In response to the provisional non-statutory obviousness type double patenting rejection, Applicant submits that the current claims as presently amended are not obvious in view of the claims of the 08/636,024 application. Consequently, no terminal disclaimer has been filed herewith.

Application No. 09/707,486  
Reply to Office Action of August 25, 2006

Consequently, in view of the present amendment, no further issues are believed to be outstanding and the present application is believed to be in condition for allowance.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



---

Charles L. Gholz  
Attorney of Record  
Registration No. 26,395

Customer Number

**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 06/04)

W. Todd Baker  
Registration No. 45,265